

USDC SDNY
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**The Law Office of
Bertram C. Okpokwasili**

201 Montgomery Street, 2nd Floor, Suite 263
Jersey City, N.J. 07302
Telephone: (201) 771-0394
Fax: (201) 839-3352

Bertram C. Okpokwasili, Esq.*

* Member of the New York Bar and New Jersey Bar

BY ECF

The Honorable Victor Marrero
United States District Judge
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, NY 10007

March 29, 2021

**Re: United States of America v. Edgar Salvador Rodriguez
Docket No. 1:18-cr-00561-VM**

Request to Compel Metropolitan Detention Center Warden and Legal Counsel to answer directly to this Court and Defense Counsel with regard to care and medical assistance for Mr. Rodriguez and provide medical records.

Your Honor,

My client was the victim of a vicious assault by two other inmates, as the MDC is well aware.

He should not be punished by being held in solitary confinement, where he cannot email his family or counsel (as evidenced by the week's lapse between the assault and my legal call with him). The investigation can continue with my client in a general population unit.

He urgently needs medical attention. As I previously wrote to the Court, I have requested that he receive medical attention directly to the MDC by phone and email, and the client also has requested medical attention directly; despite these repeated requests, it is at least clear from their

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response that my client has not received yet received medical attention. The MDC's response to the government vaguely states that medical care may be given if my client requests it. He has requested medical care multiple times and has not received it. Accordingly, I respectfully request that the Court order: (1) the immediate (no later than close of business today) production of my client's MDC medical records to the government and defense counsel; (2) a court conference tomorrow with the Warden of the MDC -- who has spoken directly to my client in the SHU and has himself directly instructed his staff to be sure he receives medical attention -- on the telephone so that he can answer questions about this matter from the Court.

Thank you for your time. Please let me know if you have any questions.

Respectfully submitted,
_____/s/ Bertram C. Okpokwasili_____
BERTRAM C. OKPOKWASILI
Attorney for Edgar S. Rodriguez

CC: AUSA Robert Sobelman

The Government is hereby directed to supplement its response based on the matters raised herein. The Bureau of Prisons is hereby ordered to produce the medical records referenced herein by close of business tomorrow, March 30, 2021.

SO ORDERED.

3/29/2021

DATE


VICTOR MARRERO, U.S.D.J.